

After recording return document to:

State of Washington  
Department of Transportation  
Real Estate Services Office  
P O Box 47338  
Olympia WA 98504-7338

**Document Title: Notice of Lien**

**Grantor(s):**

**Grantee(s): State of Washington, Department of Transportation**

**Legal Description:**

**Additional Legal Description is on Page of Document.**

**Assessor's Tax Parcel Number:**

## **NOTICE OF LIEN**

State Route

WHEREAS, , the owner of that certain parcel of land situate in the County of , State of Washington, and fully described in EXHIBIT "A", attached hereto and made a part hereof, which land is hereinafter referred to as the remaining land; and,

WHEREAS, pursuant to RCW 82.5.220(3), the owner has elected to accept payment in full of the fair market value of certain lands conveyed to the State of Washington, Department of Transportation, by deed recorded contemporaneously herewith, plus damage, if any, to the remaining lands, caused by such acquisition and without offsetting the amount of any special benefits accruing to said remaining land; and,

WHEREAS, said RCW provides that selection of the option noted hereinabove is subject to consent by the owner to the creation and recordation of a lien against the remaining lands in the amount of the fair market value of the part taken, plus damages, if any to the remaining lands.

## NOTICE OF LIEN

NOW THEREFORE, by execution hereof and pursuant to said RCW, the owner hereby consents to the creation of a lien against said remaining lands in the amount of \$ , and the State of Washington, Department of Transportation, hereby claims said lien, together with interest thereon as provided by statute.

It is further understood and agreed that, in accordance with RCW 8.25.230, this lien may be satisfied as follows:

- (1) Agreement of the parties.
- (2) Payment of the lien, plus accrued interest.
- (3) Payment of all offsetting special benefits, as provided in said RCW 98.25.22(3), plus accrued interest, within four (4) years of the date of the state's acquisition by the above referenced contemporaneously recorded deed.
- (4) Satisfaction of a judgment lien entered as a stipulated judgment or as a result of a trial, before a jury, unless jury be waived, to establish the amount of special benefits.

The state may foreclose this lien in accordance with RCW 8.25.260 by bringing an action and applying for summary judgment pursuant to civil rule 56 and may execute first upon said remaining lands. Such proceedings shall not commence before five (5) years have passed from the date of the state's acquisition, as noted above.

Upon expiration of six (6) years from said date of acquisition, without commencement of proceedings to foreclose this lien, said lien shall terminate by operation of law.

The owner may stay proceedings to enforce this lien by commencement of an action to try the matter of special benefits.

DATED this       day of       ,       .

Owner's Consent to Lien

\_\_\_\_\_

\_\_\_\_\_

STATE OF WASHINGTON

Department of Transportation

By: \_\_\_\_\_

Gerald L. Gallinger

Director, Real Estate Services

Date: \_\_\_\_\_

Owner's Acknowledgment

STATE OF WASHINGTON            )  
  )ss  
County of                                )

On this            day of            ,            , before me personally appeared            , to me known to be the duly appointed Director, Real Estate Services for the State of Washington, and that he executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said State of Washington, for the uses and purposes therein set forth, and on oath states that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have set my hand and affixed by official seal the day and year first above written.

**NOTICE OF LIEN**

\_\_\_\_\_  
Notary Public in and for the State of Washington  
Residing at \_\_\_\_\_  
My appointment expires \_\_\_\_\_

## EXHIBIT A

### PARCEL "A"

The lands herein described contain an area of \_\_\_\_\_, more or less, and the specific details concerning all of which are to be found within that certain map of definite location now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval \_\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_